

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:23-cv-00411

George A. Johnson, Jr., et al.,
Plaintiffs,
v.
G. Allen,
Defendant.

ORDER

Plaintiffs George A. Johnson, Jr., and Paul Jeffrey Connall, proceeding pro se and seeking *in forma pauperis* status, filed this lawsuit pursuant to 42 U.S.C. § 1983. Doc. 1. The case was referred to United States Magistrate Judge John D. Love. Doc. 3.


On October 4, 2023, the magistrate judge issued a report recommending that plaintiffs' lawsuit be dismissed without prejudice for failure to comply with an order of the court. Doc. 6. Twelve days later, the magistrate judge issued a report recommending that plaintiff Connall be denied leave to proceed as a pauper and that his claims be dismissed with prejudice for, in part, his willful deception in an effort to avoid paying a filing fee. Doc. 8 at 4. The magistrate judge further recommended that plaintiff Johnson's claims be dismissed with prejudice because, even if he exists,¹ he cannot assert claims based on alleged violations of Connall's rights. *Id.* Copies of these reports were sent to plaintiffs at their respective last-known addresses. To date, plaintiffs have neither filed objections nor otherwise communicated with the court. The docket reflects that mail sent to plaintiffs was returned to the court as "undeliverable." Docs. 9, 10.

When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for

¹ Mail sent to plaintiff Johnson at the address provided in the complaint was returned with a notation that "George A. Johnston has never lived at this address." Doc. 5.

clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc). Having reviewed the magistrate judge's reports, and being satisfied that they contain no clear error, the court accepts their findings and recommendations. Plaintiff Johnson's claims are dismissed with prejudice because he cannot assert claims based on violations of the rights of others. Plaintiff Connall's claims are dismissed with prejudice for his willful deception and failure to comply with an order of the court. All pending motions are denied as moot.

So ordered by the court on December 19, 2023.



J. CAMPBELL BARKER
United States District Judge